

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
SNAPCHAT ACCOUNT ASSOCAITED
WITH USER NAME "lynnoxfin" STORED
AT THE PREMISES OF SNAP INC.

Case No. 20-SW-2064DPR

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Joseph Neuschwander, a Task Force Officer (TFO) with the Homeland Security Investigations, Immigration and Customs Office (HSI/ICE), being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a particular Snapchat user account that is stored at premises owned, maintained, controlled, or operated by Snap Inc., an electronic communications service and/or remote computing service provider headquartered in Santa Monica, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A) to require Snap Inc. to disclose to the government records and other information in its possession pertaining to the subscriber or customer associated with the account, including the contents of communications.

2. I am employed as a detective with the West Plains, Missouri, Police Department (WPPD) and a TFO with HSI in Springfield, Missouri. I am also assigned to the Southwest Missouri Cyber Crimes Task Force (SMCCTF). I have been employed in the field of law enforcement full-time since 2003, including duties as a patrol officer, patrol supervisor, SWAT

Operator, and detective. I have gained expertise in the conduct of such investigations through training in seminars, classes, and everyday work related to conducting these types of investigations. I have attended trainings provided by the Internet Crimes Against Children Program and the Missouri Internet Crimes Against Children (ICAC) Task Force. Additionally, I have attended an approved 35-hour course for Universal Forensic Extraction Device Series (UFED) hardware and software methodology and am a Cellebrite Certified Operator and Cellebrite Certified Physical Analyst.

3. The statements in this affidavit are based on my personal observations, my training and experience, my investigation of this matter, and information obtained from other agents and witnesses. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth the facts that I believe necessary to establish probable cause to believe that evidence, fruits, and instrumentalities of violations of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422(b), that is, sexual exploitation of a child, receipt, distribution, or possession of child pornography, and coercion and enticement of a child, are currently located within the Snapchat servers.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422(b) have been committed by an individual identified as Corey Porter. There is also probable cause to search the information described in Attachment A for evidence, contraband, and/or fruits of these crimes, as described in Attachment B.

JURISDICTION

5. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), &

(c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

BACKGROUND ON SNAPCHAT

6. Snapchat is a mobile application (“app”) made by Snap Inc., which can be downloaded through the Apple App Store or Google Play Store. Information about Snapchat, as well as the ability to log in to access user accounts can be located at <http://www.snapchat.com>. Snap Inc.’s headquarters is located at 2772 Donald Douglas Loop North, Santa Monica, California. Snapchat allows its users to establish accounts with Snapchat, and users can then use their accounts to share written instant messages, images, videos, stories and send Snapcash with other specific Snapchat users, and depending on privacy setting with the general Snapchat community. These messages are known as “Snaps.”

7. Snapchat asks users to provide basic contact and personal identifying information to Snapchat, either during the registration process or thereafter. This information may include the user’s name, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, credit cards, and other personal identifiers.

8. Snapchat users can select different levels of privacy for their communications and information associated with their Snapchat accounts. By adjusting these settings, a Snapchat user can decide who can send them “Snaps” as well as make story information available only to friends, everyone, or to a custom list of contacts. Snapchat can locate friends using Snapchat based off contacts in the user’s address book.

9. Snapchat allows users to upload and send photos and videos to other Snapchat users, which are deleted from the Snapchat servers upon being viewed by the sending and receiving

parties. Snapchat retains metadata about the images sent and or received, as well as the date and time Snaps were processed.

10. Snapchat users can exchange private messages with other users that are deleted after being viewed the allotted time. These messages, which are similar to instant messages, are sent to the recipient's device utilizing the Snapchat app. These chat communications, minus the content, are stored in the chat history for the account. Snapchat users also have the ability to send video messages or instant chat with other users that include video chatting within the feature. Although Snapchat does not record or retain the content of the messages themselves, it does keep records of the date and time of each call, as well as the contacts involved.

11. The Snapcash feature allows users to send money to their Snapchat friends. To utilize this service Snapchat creates a Square account to process payments. A credit or debit card is provided to and retained by Snapchat to speed processing of subsequent Snapcash transactions.

12. Snapchat also retains Internet Protocol ("IP") logs for a given user ID or IP address, when accessed through their web service. These logs may contain information about the actions taken by the user ID or IP address on Snapchat, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action.

13. Social networking providers like Snap Inc. typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account number). In some cases, Snapchat users may communicate directly with Snap Inc. about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Snap Inc. typically retain records about such communications, including records of contacts between

the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

14. The servers of Snap Inc. are likely to contain information stored about electronic communications and information concerning subscribers and their use of Snapchat, such as account access information, transaction information, and other account information.

PROBABLE CAUSE

15. On October 25, 2019, Stelivo LLC initiated CyberTip Reports 57893651, 57893659, 57893665, and 57893676 with the National Center for Missing and Exploited Children (NCMEC) indicating that they had discovered files of possible child pornography in a user's account in their website FreeChatNow. The CyberTips were forwarded to this affiant for further investigation.

16. FreeChatNow (FCN) is a free Internet chat service that requires no registration. FCN is completely free and does not require registration. The only information needed before using their chat messaging service is a desired username, date of birth, and gender. According to their website, FNC provides services ranging from basic text chatting to webcam chats and audio chat rooms, which allow users to see and hear others on the website. FCN also has a user-friendly mobile interface. FCN's chat room selection is separated by sexuality and interest. While registration is not required, creating an account makes the username permanent, so that no one else can use it. Additionally, registration allows users to upload a custom avatar and gives them access to the forum, which allows users to participate in discussions while not logged in, enabling users to chat or send private messages to other users who are not currently online.

17. In all four CyberTips, FCN reported that a user with account name "G|JohnnyMorgan19" uploaded images, three of which were suspected child pornography, and the

fourth image was of an adult male penis. Because the account was unregistered, no further identifying information was provided. Each CyberTip included a single image that had been uploaded by the account user. The four files were uploaded on October 25, 2019, between 07:39:22 GMT and 07:43:48 GMT, from IP address 24.35.238.72, a Fidelity IP address.

18. This affiant reviewed the four images, and determined three of the images were child pornography, that is, a child less than 18 years of age engaged in sexually explicit conduct:

- a. The first image depicts a naked minor female, approximately 15 years old, taking a selfie in the mirror. Her vagina and breasts are clearly visible;
- b. The second image depicts a naked minor female, approximately 14 years old, lying on a bed, displaying her ano-genital area to the camera; and
- c. The third image depicts a naked minor female, approximately 11 to 13 years old, standing, and her breast and genital areas are visible. The minor is holding a small pink sign with the number "1" by her hips.

19. On December 11, 2019, an investigative subpoena for IP address 24.35.238.72 on October 25, 2019, at 07:43:48 GMT for subscriber information was issued to Fidelity Cobridge Communications.

20. Subsequent investigation determined that the IP address was assigned to a residence in West Plains, Missouri, at which Corey Porter (hereinafter "Porter") resided.

21. On January 27, 2020, this affiant applied for and received a search warrant for Porter's residence from Chief United States Magistrate David P. Rush. On February 6, 2020, this affiant and other members of law enforcement executed the search warrant. Upon arrival, no individual was present inside the residence; consequently, this affiant and SMCCTF TFO Joseph Fletcher responded to Porter's place of employment and advised him of the search warrant. Porter

agreed to respond to his residence so that law enforcement could execute the search warrant.

22. After arriving at the residence, Porter agreed to be interviewed by this affiant. Post-*Miranda*, Porter disclosed that he had previously created a “fake” SnapChat account under user name “lynnoxfin” to communicate with people he did not know. Porter stated that the account is still active and referred to it as a “dirty secret.” Porter stated the user name had no significant meaning; it was just used to not identify himself. Porter stated the last time he accessed the account was on February 6, 2020. Porter stated that the he used Snapchat to communicate with and send images of his penis to other users. Porter stated it was possible that he had sent images of his penis to minors.

23. February 20, 2020, a preservation letter was submitted to Team SnapChat Law Enforcement requesting preservation of records for the SnapChat account associated with user ID “lynnoxfin” from October 25, 2019, through February 6, 2020.

24. Based on the foregoing, this affiant believes that the servers of Snap Inc. are likely to contain information stored about electronic communications and information concerning, Corey Porter’s account associated with user name “lynnoxfin” and his use of Snapchat, such as account access information, transaction information, and other account information.

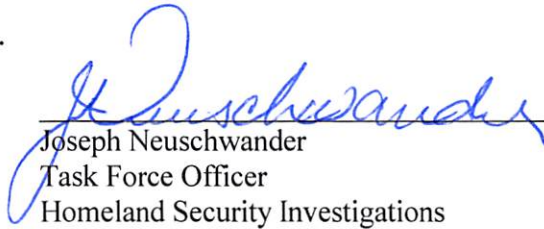
INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

25. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A), and 2703(c)(1)(A), by using the warrant to require Snap Inc. to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.


CONCLUSION

26. Based on the forgoing, I request that the Court issue the proposed search warrant. Because the warrant will be served on Snap Inc. who will then compile the requested records at a time convenient to it, there exists reasonable cause to permit the execution of the requested warrant at any time of the day or night

Further your affiant sayeth naught.


Joseph Neuschwander
Task Force Officer
Homeland Security Investigations

Sworn to and subscribed to before me in my presence via telephone on this 20th day of April 2020.


THE HONORABLE DAVID P. RUSH
Chief United States Magistrate Judge
Western District of Missouri